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**MAR 28 2007**

**OFFICE OF PETITIONS**

In re Application of	:	
Kia Silverbrook	:	
Application No. 10/804,048	:	DECISION ON PETITION
Filed: March 19, 2004	:	UNDER 37 CFR 1.78(a)(3)
Attorney Docket No. ZG126US	:	

This is a decision on the petition under 37 CFR 1.78(a)(3), filed June 9, 2006, to accept an unintentionally delayed claim under 35 U.S.C. §120 for the benefit of priority to a prior-filed nonprovisional application.

The petition is **DISMISSED**.

A petition for acceptance of a claim for late priority under 37 CFR 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

- (1) the reference required by 35 U.S.C. § 120 and 37 CFR 1.78(a)(2)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

The petition does not comply with item (3).

The petition submitted on June 9, 2006 is not signed. Therefore, the statement cannot be accepted at this time.

Additionally, it is noted that in the Office Action mailed March 6, 2007, the examiner alerted applicant that the papers filed with the petition on June 9, 2006, were directed to Application No. 10/084,048.

Further correspondence with respect to this matter should be addressed as follows:

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Any questions concerning this matter may be directed to Karen Creasy at (571) 272-3208.

A handwritten signature in black ink, appearing to read "Karen Creasy", written in a cursive style.

Karen Creasy  
Petitions Examiner  
Office of Petitions